REMARKS

Claims 1-2 and 4-5 are currently pending in the application, of which claims 1 and 5 are independent claims. In view of the following Remarks, Applicants respectfully request reconsideration and timely withdrawal of the pending objections and rejections for the reasons discussed below.

Claim Objection

The Office Action states that "Claim 2 is objected to because of the following informalities: line 2, first occurrence "display portions" should read, "display portion."""

Applicants respectfully disagree that claim 2 contains an informality. Claim 2 recites, *inter alia*, "wherein said image display portion is divided into a plurality of image display portions." Changing "display portions" to "display portion" would result in claim 2 reciting "a plurality of image display portion," which Applicants submit would be grammatically incorrect. Accordingly, Applicants respectfully request withdrawal of the objection for claim 2.

Rejections Under 35 U.S.C. § 103

Claims 1 and 5 stand rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over U.S. Patent No. 6,552,703 issued to Ushigusa ("Ushigusa") in view of U.S. Patent No. 5,726,677 issued to Imamura ("Imamura"). Applicants respectfully traverse this rejection for at least the following reasons.

To establish a prima facie case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the reference or

references, when combined, must disclose or suggest all of the claim limitations. The motivation to modify the prior art and the reasonable expectation of success must both be found in the prior art and not based upon a patent applicant's disclosure. *See in re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991).

The initial burden is on the examiner to provide some suggestion of the desirability of doing what the inventor has done. "To support the conclusion that the claimed invention is directed to obvious subject matter, either the references must expressly or impliedly suggest the claimed invention or the examiner must present a convincing line of reasoning as to why the artisan would have found the claimed invention to have been obvious in light of the teachings of the references." *Ex parte Clapp*, 227 USPQ 972, 973 (Bd. Pat. App. & Inter. 1985).

There is no suggestion or motivation to modify the references or to combine reference teachings in the manner proposed by the Examiner. One of ordinary skill in the art, confronted with the problem of adjusting brightness of an image display device without utilizing complicated circuitry such as a memory device and an adjusting circuit for adjusting levels of the data signals, would not be motivated to combine the teachings of Ushigusa and Imamura. Rather, Ushigusa confronts the problem of reducing power consumption in a display apparatus, and applying Iamura's invention "to the multiple line selection drive method [provides] a high contrast, high speed response, matrix-type liquid crystal display apparatus characterized by low flicker and consuming less power ...". Hence, the references do not suggest how to adjust display brightness without utilizing complicated circuitry.

Furthermore, Imamura teaches away from the combination since Imamura's driver requires a built-in frame memory, (see col. 12, lines 15-20), and Applicants' invention adjusts

the brightness of an image display device without utilizing complicated circuitry such as a memory device.

Finally, Ushigusa's device is a current driven device, and Imamura's device is voltage driven. Hence, a person of ordinary skill in the art would not look to combine Imamura's voltage driven device with Ushigusa's current driven device.

Even if the references are combined, they do not disclose or suggest all of the claim limitations. Claim 1 recites, *inter alia*:

> said row driving circuit simultaneously drives more than two of said scanning electrodes and successively lighting horizontal regions in sequence corresponding to the number of scanning electrodes for simultaneously driving said light emitting elements; and
>
> said column driving circuit controls a current flowing in said data electrodes such that a current density of said light emitting element is maintained constant

The proposed combination of Ushigusa and Imamura does not teach or suggest such features. Rather, Ushigusa discloses an anode driving circuit including a constant current source and a cathode (i.e row) driving circuit that selects one cathode line (i.e. scanning electrode) at a time (col. 6, lines 57-62; col. 7, lines 17-20). Hence, when Ushigusa's row driving circuit is replaced with Imamura's row driving circuit that simultaneously drives more than two electrodes, Ushigusa does not disclose or suggest a current source that "controls a current flowing in said data electrodes such that a current density of said light emitting element is maintained constant."

Accordingly, Applicants respectfully request withdrawal of the 35 U.S.C. § 103(a) rejection of claim 1. Claim 5 would be allowable for at least the same reasons noted above with

regard to claim 1. Since none of the other prior art of record, whether taken alone or in any combination, discloses or suggests all the features of the claimed invention, Applicants respectfully submit that independent claims 1 and 5, and all the claims that depend therefrom, are allowable.

Claims 2 and 4 stand rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over Ushigusa and Imamura in view of U.S. Patent No. 6,366,026 issued to Saito, *et al.* (Saito). Applicants respectfully traverse this rejection for at least the following reasons.

Claims 2 and 4 depend from claim 1, which is an allowable claim. Since Saito does not supply the deficiencies of Ushigusa and Imamura, claims 2 and 4 are also allowable. Accordingly, Applicants respectfully request withdrawal of the 35 U.S.C. § 103(a) rejection of claims 2 and 4.

Other Matters

Pursuant to the Assignment and Statement Under 37 C.F.R. 3.73(b), Power of Attorney by Assignee, filed on March 26, 2004, it is requested that future correspondence regarding this application be sent to **McGuireWoods, LLP**.

CONCLUSION

Applicants believe that a full and complete response has been made to the pending Office Action and respectfully submit that all of the stated objections and grounds for rejection have been overcome or rendered moot. Accordingly, Applicants respectfully submit that all pending claims are allowable and that the application is in condition for allowance.

Should the Examiner feel that there are any issues outstanding after consideration of this response, the Examiner is invited to contact the Applicants' undersigned representative at the number below to expedite prosecution.

Prompt and favorable consideration of this Reply is respectfully requested.

Respectfully submitted,

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